THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.14709 OF 2006

BETWEEN:

Koganti Venkata Ratna Prasad and another

…Petitioners

vs.

A.P.State Financial Corporation, rep. by its Mg.Director, Hyderabad and others

..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.14709 OF 2006

ORAL ORDER

The writ petition is filed aggrieved by the action of the respondent Nos.3 and 4 initiating proceedings against the petitioners under the provisions of the A.P. Revenue Recovery Act for recovery of the amount allegedly due and payable to the 1st respondent-Corporation. The challenge is asserted on the ground that in respect of the amounts allegedly due from the petitioners, the 1st respondent-Corporation has already initiated proceedings in O.P.No.2622 of 2002 on the file of the III Additional Chief Judge, City Civil Court, Hyderabad under Sec.31 of the State Financial Corporations Act,1951.

Counter-affidavit, filed on behalf of the 1st and 2nd respondents, is to the effect that the 1st respondent-Corporation has during the review meeting held on 23-09-2006 decided to withdraw the initiation of the proceedings under the Revenue Recovery Act through the 3rd respondent and has addressed the 3rd respondent accordingly. This decision was taken in view of the fact that the 1st respondent-Corporation has already initiated proceedings against the petitioners under Sec.31 of the Act. As the 1st respondent itself has decided not to pursue the proceedings under the Revenue Recovery Act against the petitioners, the grievance of the petitioners does not survive for adjudication.

Recording this submission on behalf of the 1st and 2nd

respondents, the writ petition is dismissed as infructuous. No order as to costs.

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GODA RAGHURAM,J

9th NOVEMBER 2006
***TSNR**